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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.	
09/840,157	04/24/2001	Yoshihiko Watanabe	35.C15213	3428	
5514	7590 11/10/2005		EXAMINER		
	ICK CELLA HARPER	HUNTSINGE	HUNTSINGER, PETER K		
30 ROCKEFELLER PLAZA NEW YORK, NY 10112			ART UNIT	PAPER NUMBER	
11277 1014			2624	<u> </u>	
			DATE MAIL ED: 11/10/2005		

Please find below and/or attached an Office communication concerning this application or proceeding.

Advisory Action

Application No.	Applicant(s)	
09/840,157	WATANABE ET AL.	
Examiner	Art Unit	_
Peter K. Huntsinger	2624	

Before the Filing of an Appeal Brief	Examiner	Art Unit	
	Peter K. Huntsinger	2624	
The MAILING DATE of this communication appe	ars on the cover sheet with the c	orrespondence add	ress
THE REPLY FILED 14 October 2005 FAILS TO PLACE THIS A	APPLICATION IN CONDITION FOR	ALLOWANCE.	
1. The reply was filed after a final rejection, but prior to or or this application, applicant must timely file one of the follow places the application in condition for allowance; (2) a Not a Request for Continued Examination (RCE) in compliant time periods:	n the same day as filing a Notice of wing replies: (1) an amendment, aff otice of Appeal (with appeal fee) in o ce with 37 CFR 1.114. The reply mu	Appeal. To avoid aba idavit, or other evider compliance with 37 C	nce, which FR 41.31; or (3)
a) The period for reply expires 3 months from the mailing date			
b) The period for reply expires on: (1) the mailing date of this A no event, however, will the statutory period for reply expire Examiner Note: If box 1 is checked, check either box (a) or	ater than SIX MONTHS from the mailing (b). ONLY CHECK BOX (b) WHEN THE	g date of the final rejecti	on.
TWO MONTHS OF THE FINAL REJECTION. See MPEP 7 Extensions of time may be obtained under 37 CFR 1.136(a). The date have been filed is the date for purposes of determining the period of exunder 37 CFR 1.17(a) is calculated from: (1) the expiration date of the set forth in (b) above, if checked. Any reply received by the Office late may reduce any earned patent term adjustment. See 37 CFR 1.704(b) NOTICE OF APPEAL	on which the petition under 37 CFR 1.1 tension and the corresponding amount shortened statutory period for reply origing than three months after the mailing da	of the fee. The appropr inally set in the final Offi	iate extension fee ce action; or (2) as
 The Notice of Appeal was filed on A brief in complifing the Notice of Appeal (37 CFR 41.37(a)), or any external a Notice of Appeal has been filed, any reply must be filed. 	nsion thereof (37 CFR 41.37(e)), to	avoid dismissal of th	
AMENDMENTS	. Walling the time period oct loral in a	77 OT 11 11.07 (4).	
 The proposed amendment(s) filed after a final rejection, (a) ☐ They raise new issues that would require further co (b) ☐ They raise the issue of new matter (see NOTE belo (c) ☐ They are not deemed to place the application in be appeal; and/or (d) ☐ They present additional claims without canceling a NOTE: (See 37 CFR 1.116 and 41.33(a)). 4. ☐ The amendments are not in compliance with 37 CFR 1.1 	ensideration and/or search (see NO ow); tter form for appeal by materially re corresponding number of finally rej 21. See attached Notice of Non-Co	TE below); ducing or simplifying ected claims.	the issues for
5. \square Applicant's reply has overcome the following rejection(s)			
6. Newly proposed or amended claim(s) would be a	llowable if submitted in a separate,	timely filed amendme	ent canceling the
non-allowable claim(s). 7. For purposes of appeal, the proposed amendment(s): a) how the new or amended claims would be rejected is pro The status of the claim(s) is (or will be) as follows: Claim(s) allowed: Claim(s) objected to: Claim(s) rejected: 24-38. Claim(s) withdrawn from consideration: 1-23.		ll be entered and an e	explanation of
AFFIDAVIT OR OTHER EVIDENCE			
 The affidavit or other evidence filed after a final action, be because applicant failed to provide a showing of good an was not earlier presented. See 37 CFR 1.116(e). 	ut before or on the date of filing a North day the affiday	otice of Appeal will <u>no</u> rit or other evidence is	ot be entered s necessary and
9. The affidavit or other evidence filed after the date of filing entered because the affidavit or other evidence failed to showing a good and sufficient reasons why it is necessar	overcome <u>all</u> rejections under appe y and was not earlier presented. S	al and/or appellant fa ee 37 CFR 41.33(d)(ils to provide a 1).
10. ☐ The affidavit or other evidence is entered. An explanation REQUEST FOR RECONSIDERATION/OTHER			
 The request for reconsideration has been considered by See attached. 	ut does NOT place the application in	n condition for allowa	nce because:
12. Note the attached Information Disclosure Statement(s). 13. Other:	(PTO/SB/08 or PTO-1449) Paper N	lo(s)	
	DOUGL	AS Q.TRAN	

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Response to Amendment

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1. The amendment filled on 14 October 2005 has been entered in full.

2. The proposed amendments to the claims will not be entered since the proposed amendments would require further consideration and/or further search. Additionally, the proposed amendments are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal.

Response to Arguments

3. Applicant's arguments filed 14 October 2005 have not been considered because they address the proposed amendments that have not been entered.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Peter K. Huntsinger whose telephone number is (571)272-7435. The examiner can normally be reached on Monday - Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David Moore can be reached on (571)272-7437. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

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